

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DWAYNE ROBINSON BURRELL,

No. C-13-1109 EMC (pr)

Petitioner,

v.

**ORDER DENYING REQUEST TO  
EXTEND REOPENED TIME TO  
APPEAL**

GREG LEWIS, Warden,


Respondent.

On February 27, 2015, the Court issued an Order Reopening Time To Appeal under Federal Rule of Appellate Procedure 4(a)(6), directing Petitioner that he “must file a notice of appeal within 14 days of the date of this order if he wishes to appeal.” Petitioner did not file a notice of appeal. Instead, on March 13, 2015, he mailed a motion for enlargement of the time to appeal, with no explanation as to why he needed additional time. Docket # 16.

Petitioner’s motion for an enlargement of the time to appeal is **DENIED**. Docket # 16. Rule 4(a)(6) allows the Court to reopen the time to file an appeal for 14 days. That 14-day period in Rule 4(a)(6) cannot be enlarged by the district court. *See Bowles v. Russell*, 551 U.S. 205, 213 (2007)(appeal had to be dismissed for lack of jurisdiction because notice of appeal not filed within 14-day period; district court had no authority to enlarge the appeal period beyond the period allowed by Rule and statute)

IT IS SO ORDERED.

Dated: April 21, 2015

  
EDWARD M. CHEN  
United States District Judge